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MEMORIAL
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CHAMBER OF COMMERCE, ST. PAUL, MINN

REMONSTRATING

Against any action at the present session of Congress suspending the treaty between the United States and Great Britain of June 5, 1854, commonly known as the reciprocity treaty.

JANUARY 27, 1862.—Referred to the Committee on Foreign Relations; motion to print referred to the Committee on Printing.

JANUARY 29, 1862.—Reported in favor of printing.

The remonstrance of James W. Taylor and others, of the St. Paul, Minnesota, Chamber of Commerce, against any action at the present session of Congress suspending the treaty between the United States and Great Britain of June 5, 1854, commonly known as the Canadian reciprocity treaty, or proposing in any manner to impair the terms or obligations thereof, unless such action is the result of a new negotiation and agreement between the respective governments.

At a special meeting of the St. Paul Chamber of Commerce, held at the rooms of the United States district court on the 17th instant, W. R. Marshall, president, occupied the chair, and S. K. Putnam was appointed secretary *pro tem*.

James W. Taylor presented the following memorial, which, on motion of J. W. Cathcart, was adopted, and directed to be forwarded to the Minnesota congressional delegation:

To the Senate and House of Representatives of the United States of America in Congress assembled:

The Chamber of Commerce of St. Paul, Minnesota, would respectfully remonstrate against any action at the present session of Congress suspending the treaty between the United States and Great Britain of June 5, 1854, commonly known as the reciprocity treaty, or proposing in any manner to impair the terms or obligations thereof, unless

such action is the result of a new negotiation and agreement between the respective governments.

I. Your memorialists prefer to rest this remonstrance upon the single consideration of national good faith—the scrupulous regard for treaty obligations which the American government has always observed and will continue to observe.

For this purpose we invite attention to the fifth article of the treaty, which follows :

ARTICLE 5. The present treaty shall take effect as soon as the laws required to carry it into operation shall have been passed by the Imperial Parliament of Great Britain, and by the Provincial Parliaments of those of the British North American colonies which are affected by this treaty on the one hand and by the Congress of the United States on the other. Such assent having been given, the treaty shall remain in force for ten years from the date at which it may come into operation, and further, until the expiration of twelve months after either of the high contracting parties shall give notice to the other of its wish to terminate the same ; each of the high contracting parties being at liberty to give such notice to the other at the end of said term of ten years, or at any time afterwards.

This treaty was promulgated by President Pierce on the 11th of September, 1854. The period from its date to promulgation, June 5 to September 11, was occupied in the passage of laws to carry it into operation by the United States, England and the provinces interested. Under a special article (article 6) the treaty did not become applicable to the Island of Newfoundland until December 12, 1855.

From the date of President Pierce's proclamation, September 11, 1854, the period of ten years must therefore be computed, within which the operation of the treaty is removed beyond the power of Congress. The life and obligation of the treaty extends to September 11, 1864, and neither of the contracting parties is at liberty even to give notice of its termination until after the "end of the said ten years." Twelve months must also elapse before such notice can take effect.

There is one exception, however, to this conclusion. By the first clause of Article IV it was agreed "that the citizens and inhabitants of the United States shall have the right to navigate the river St. Lawrence, and the canals in Canada used as the means of communicating between the great lakes and the Atlantic Ocean, with their vessels, boats and crafts, as fully and freely as the subjects of her Britannic Majesty. * * It being understood, however, that the British government retains the right of suspending this privilege on giving due notice thereof to the government of the United States."

Article IV then proceeds to provide that if at any time the British government shall suspend this freedom of navigation upon the St. Lawrence river and the Canadian canals, the government of the United States may suspend, as to Canada, the third article, which admits an enumerated list of articles, the growth and produce of the colonies and the United States, into each country respectively, free of duty.

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Great Britain not having suspended the right of Americans in the St. Lawrence and the Canadian canals, Congress has no power to act under this solitary exception to the permanent obligation of the treaty.

It is therefore submitted that, until September 11, 1864, and further or beyond that date until the lapse of a subsequent notice of twelve months, (if the government desire to terminate the operation of the treaty,) the Congress and citizens of the United States will scrupulously observe and fulfil the obligations imposed by Article V above cited, as well as all the other provisions of the treaty in question.

II. We venture the further statement that all parties to this treaty have hitherto observed its stipulations in good faith. The Americans possess and enjoy their enlarged rights in the British fisheries of the northeastern coast, and the free navigation of the St. Lawrence; neither government has interrupted the exchanges of the free list prescribed by the third article; while upon a subject purposely excluded from the provisions of the treaty, namely, the tariffs of the United States and the adjacent provinces in respect to articles of manufacture and foreign production, there is no legitimate ground of complaint in any quarter. Prior to 1861 the duties by the Canadian tariff were considerably enlarged after 1854; but recently the American scale of duties has been advanced in a still greater proportion. In both cases the changes have been enforced by financial necessity, and do not conflict with the treaty of 1854.

III. At the regular session of the American Congress, to be assembled on the first Monday of December, 1864—almost three years from the present time—it will be in order to take measures which shall then appear expedient in regard to our relations of revenue and commerce with the British provinces on this continent. Within that period the discussions of our future continental policy may be expected to suggest the terms of a more definite and permanent treaty, avoiding former errors and omissions, and which, as your memorialists hope and believe, will be far more comprehensive and satisfactory than the negotiation of 1854. The closing three years of the decade during which the existing treaty is irrevocable will probably disclose events bearing directly and impressively upon the question of international relations on our northern frontier. Some of these we venture to anticipate.

1. Central British America, including an inhabitable area of 300,000 square miles, and extending northwest of Minnesota to the Rocky mountains, will probably be organized as a crown colony of England, with the seat of government at Selkirk. There is good reason to believe that a bill for this purpose will become an act of Parliament at the session now impending.

2. British Columbia on the Pacific coast, having received a similar organization in 1858, the establishment of the province of Central British America will go far to realize the hope so gracefully expressed three years since from the throne of England: "That her Majesty's dominions in North America may ultimately be peopled, in an unbroken chain from the Atlantic to the Pacific, by a loyal and industrious population of subjects of the British crown."

3. Minnesota, with the co-operation of the government at Washington, has relied with confidence upon the probability of such a colonization of the fertile valleys which stretch beyond the international boundary, from the lakes of Superior and Winnipeg, or the western limit of Canada, to the Pacific colony of British Columbia. Our mails, our trains of regular transportation, and our steam vessels on the Red River of the North, are already provided as important links of international communication from Toronto to St. Paul, and thence to Fort Garry. The projected railroads of Minnesota, with extensive grants of land from Congress in behalf of their construction, harmonize in a northwestern trend to the valleys of the Red River of the North, and the still more remote Saskatchewan. Our whole commercial future has been projected in concert with the victories of peace, even more renowned than war, of which we still hope to witness the achievement in northwest America, irrespective of the imaginary line of an international frontier.

4. Animated by these expectations, which the march of events has hitherto justified, we invoke the "sober second thought" of the country upon the subject of our continental policy. With the suppression of the southern rebellion; with dispassionate discussions by all the parties interested; with the happy accord of minds like Cobden in England and Chase in America upon the best methods of revenue, and, lastly, with the lessons and suggestions of the next three years, a treaty, eminently deserving the designation of a reciprocity treaty, will probably be submitted to the Congress of 1864.

5. In conclusion, the chamber merely reiterate the uniform utterance of the authorities and citizens of Minnesota, when we anticipate an adjustment of the relations of the United States and all the British provinces on this continent, upon a basis of mutual interest and good will. We do not deny the expediency of a revision of existing stipulations—at a proper time, this community will insist upon a revision; but always in the interest of further freedom, not additional restrictions, of commercial intercourse. We expect to urge the territorial extension of a future reciprocity treaty to the provinces northwest of Minnesota, and an enlargement of its provisions to the proportions of a Zoll-Verein or Customs Union.

With these impressions, the St. Paul Chamber of Commerce repeats its invitation to the senators and representatives of the United States in Congress assembled to review the stipulations of the treaty of June 5, 1854, and to avoid all action inconsistent with the public faith. If, however, with the scrupulous observance of international obligations, the Congress can find or make a way, in 1862, to the policy which your memorialists have assigned for the diplomacy and legislation of 1864, the result will be warmly welcomed by the people of Minnesota.

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